

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 8/26/08

## SCHEDULING ORDER

08 Civ. 2854(SAS)

Conference Date: Aug 26, 2008

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The Space, Inc.,

Plaintiff,

- against -

Perry Alan Simonitz, et al.

Defendant(s).

-----X

SHIRA A. SCHEINDLIN, U.S.D.J.:

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

- (1) the date of the conference and the appearances for the parties;

8/26/08, Brett Grossman for Plaintiff

- (2) a concise statement of the issues as they then appear; Christopher Black for As.

Plaintiff alleges that defendants failed to pay for services.

- (3) a schedule including: A co. is in liquidation, A Simonitz is improperly named.

- (a) the names of persons to be deposed and a schedule of planned depositions;

A representative of the Space, Inc. by November 1, 2008

- (b) a schedule for the production of documents;

All documents/Responses by November 15, 2008 and Perry Alan Simonitz by December 1, 2008

- (c) dates by which (i) each expert's reports will be supplied to the adverse side and

- (ii) each expert's deposition will be completed;

N/A

- (d) time when discovery is to be completed;

All demands by October 1, 2008

(e) the date by which plaintiff will supply its pre-trial order matters to defendant;

January 15, 2009  
(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

January 30, 2009  
(g) a space for the date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), to be filled in by the Court at the conference.

~~February 15, 2009~~  
Dec. 18 at 4:30 (leave blank)

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

N/A

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

a. Location of Defendant's deposition  
b.

(6) anticipated fields of expert testimony, if any;

N/A

(7) anticipated length of trial and whether to court or jury;

1 day

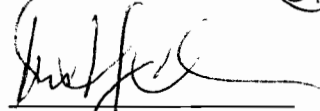
(8) a statement that the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires;

(9) names, addresses, phone numbers and signatures of counsel;

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Christopher B. Block  
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New York, NY  
212 269-5500

SO ORDERED:



SHIRA A. SCHEINDLIN  
U.S.D.J.

8/26/08

